

**FILED****MAY 2, 2007**KAREN MITCHELL  
CLERK, U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

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ADAM A. FLORES, PRO SE,	§	
TDCJ-CID #853285,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:06-CV-0194
	§	
OFFICER KIETH, ET AL.,	§	
OFFICER CORILLO SALVIS,	§	
NFN KROLL, SAM ELLIS, SUNNA POLY,	§	
MAYS PEEL, CONTERAS ESTRADAS,	§	
NFN MORRENING, ZUVALA CONTERES,	§	
and	§	
VALIRIE GONZALES,	§	
	§	
Defendants.	§	

**ORDER OF DISMISSAL**

Plaintiff ADAM A. FLORES, while a prisoner incarcerated in the custody of the Texas Department of Criminal Justice, Correctional Institutions Division, has filed suit pursuant to Title 42, United States Code, Section 1983 complaining against the above-named defendants and requesting permission to proceed *in forma pauperis*.

On March 28, 2007, a Report and Recommendation was issued by the United States Magistrate Judge reviewing plaintiff's litigation history, finding he had accumulated more than three strikes under the Prison Litigation Reform Act, and recommending denial of his request for pauper status and dismissal of the instant cause for failure to pay the filing fee. Plaintiff was instructed he had fourteen days in which to object and that payment of the filing fee during that period would result in the automatic withdrawal of the Report and Recommendation.

The period for response has expired; and no objections have been filed by plaintiff. Further, plaintiff has not paid the filing fee or responded to the Report and Recommendation in any way.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation.

The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

IT IS THEREFORE ORDERED that plaintiff's request to proceed in forma pauperis is DENIED, and the Civil Rights Complaint filed pursuant to Title 42, United States Code, Section 1983, by plaintiff ADAM A. FLORES is DISMISSED WITHOUT PREJUDICE TO REFILE WITH PREPAYMENT OF THE FILING FEE. 28 U.S.C. § 1915(g).

LET JUDGMENT BE ENTERED ACCORDINGLY.

All pending motions are DENIED.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record.

IT IS SO ORDERED.

ENTERED this 2<sup>nd</sup> day of May, 2007.

/s/ Mary Lou Robinson  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE